

Examiner-Initiated Interview Summary	Application No.		Applicant(s)	
	10/520,957		DJUPESLAND ET AL.	
	Examiner		Art Unit	
	CLINTON OSTRUP		3771	

All Participants:

(1) CLINTON OSTRUP.

(2) ISAAC A. HUBNER.

Date of Interview: 23 March 2010

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: .

Part I.

Rejection(s) discussed:

Proposed 102 & 103 rejections were discussed.

Claims discussed:

1, 29, and 31-35

Prior art documents discussed:

Lockhart et al (6,443,152) and Harrison (7,163.013).

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Status of Application: Amended

(3) _____

(4) _____

Time: 7:15pm

/Clinton Ostrup/
Examiner, Art Unit 3771

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner contacted Mr. Hubner to let him know that claims 31-35 were allowable over the prior art and that if the limitations of 31 or 34, which depend from claims 1 & 29 were incorporated into claim 1, the application could be allowed. Mr. Hubner said he would contact his client and get back to the examiner by close of business 3/25/10. Mr. Hubner contacted the examiner on 3/24/10 at approximately 2:45pm and said his client was not agreeable to the amendment but would be agreeable to add claim 29 to claim 1. The examiner said the limitation of claim 29 read on the conical shaped tip of Harrison and it would inherently expand a body cavity based on its tapered shape as it enters a nasal cavity. The examiner also stated that these types of tips are well known and commonly used in the art. Mr. Hubner said he would discuss the examiner's position with his client and let the examiner know their position. Mr. Hubner called the examiner 3/24/10 at approximately 4:15pm and said his client was not agreeable to adding the limitations of claim 31 or claim 34 to claim 1 and proposed alternative claim language. The examiner said that the proposed amendment was not commensurate with claims 31 or 34 and that although he was unaware of the type of expansion mechanism being used in a medicament device with the limitations of claim 1, this type of mechanism is known, and provided scissors, pliers, vice-grips and tongs as examples of such mechanisms. An agreement could not be reached and the examiner said he would send out an Office Action. .